

REMARKS

I. STATUS OF THE CLAIMS

Claims 1-13 are pending in the Application. Claims 7 and 8 have been cancelled in a previous amendment.

Claims 1, 3-4, 6, 9-13 were rejected in the Office Action under 35 U.S.C. § 103(a) (hereinafter, “Section 103(a)”) as being obvious and unpatentable over Aravamudan et al. (U.S. Pat. No. 6,301,609, hereinafter, “Aravamudan”) in view of Fuchigami (U.S. Pat. No. 6,393,463, hereinafter, “Fuchigami”).

Claims 2 and 5 were rejected under 35 U.S.C. § 103(a) as being obvious and unpatentable over Aravamudan in view of McDowell et al. (U.S. Pub. No. 2001/0034224, hereinafter, “McDowell”).

Applicant respectfully traverses all rejections and requests reconsideration.

A. REJECTION OF CLAIMS 1, 3-4, 6, 9-13 UNDER SECTION 103(a)

Claims 1, 3-4 and 6 were rejected under Section 103(a) as being obvious over Aravamudan in view of Fuchigami. Applicant respectfully traverses Examiner’s rejections as explained below.

As explained in M.P.E.P. Section 706.02(j):

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The three above-mentioned criteria must exist at the time the claimed invention was made, according to the text of Section 103(a) itself. The Examiner has not established a prima facie case of obviousness using Aravamudan and Fuchigami for at least the reasons stated below.

Claim 1

Aravamudan does not teach, either expressly or inherently, each and every element of claim 1. In independent claim 1, “each client type having a unique identifier to enable access thereto via said computer network . . . wherein said account is identified by a unique identification number common to all of the client types of that client; and wherein each said unique identifier of each client type of said client is matched to said unique identification number of the particular client.” Claim 1 states that “said account is identified by a unique identification number common to all of the client types of that client”. (Unique identification number hereinafter referred to as “UIN”). As indicated by the Examiner in col. 6, lines 51-53 of Aravamudan, “the provisioning server . . . provisions the client CPE software with a unique identification (ID)” (Office Action, page 3). The unique ID is then conveyed to the IM server, creating a new IM account. (Aravamudan, col. 6, lines 58-60). However, Aravamudan fails to teach anywhere that “**each client type [has] a unique identifier** to enable access thereto via said computer network” (emphasis added). At most, Aravamudan teaches that the client software installed on the client equipment detects network connectivity and conveys a message to the IM server indicating the user’s online presence and address. (Aravamudan, col. 7, lines 3-9). It is the provisioned and installed software on the devices which is provisioned with a unique ID (col. 6, lines 52-53), NOT that “each client type has a unique

identifier". Thus, in Aravamudan, only the address to which the client equipment is attached is provided to the IM server from the client equipment. There is no teaching of "a unique identifier" of "each client type".

In addition, contrary to Examiner's reference to col. 7, lines 2-20, Aravamudan does not disclose any "unique identifier of *each* client type of said client" "*matched to* the UIN of the particular client", but rather only teaches providing the current user's address to the IM server. Conveying a "current user address" to the IM server in Aravamudan does not disclose a matching of each client type "unique identifier" to the "unique identification number" of the client's account as recited in claim 1. As such, Aravamudan does not teach all the limitations found in claim 1.

Furthermore, Aravamudan in view of Fuchigami does not teach, either expressly or inherently, each and every element of claim 1. The Examiner stated that "[a]lthough Aravamudan et al shows substantial features of the claimed invention, he does not explicitly show an account common to all of the client types. Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Aravamudan et al, as evidenced by Fuchigami." (Office Action, page 3-4). Applicant respectfully traverses the assertion.

Fuchigami teaches an electronic mail communication apparatus, electronic mail system and electronic mail communication method for adding subaddresses to a mail address corresponding to one account to classify the mail address into a plurality of destinations. (Fuchigami, col. 2, lines 19-27). This allows a plurality of different users to use a single electronic mail address. Each user has their own subaddress and maintains private access to mail sent to their own subaddress. (Col. 6, lines 7-28). However, Fuchigami teaches an

account is common to a number of “different users” while protecting privacy, NOT that the “account is...common to all of the client types of **that client**;” as in Applicant’s claim 1 (emphasis added). Fuchigami fails to teach a “client having a single account...for all of its **client types...**” (emphasis added).

In Applicant’s claim 1, the “single account is identified by a UIN common to all of the client types of that client” and “each said unique identifier of each client type of said client is matched to said UIN of the particular client.” The Examiner cites Fuchigami, col. 2, lines 6-37 as disclosing an electronic messaging system where a plurality of devices (as shown in FIG. 1) access a mail server using a common account. (Office Action, page 4). However, Fuchigami does not teach such a system, but at most identifies conventionally and generally that different devices can access a mail server. (Fuchigami, col. 7, lines 46-67). There is a lack of any teaching of a “unique identifier of each client type of said client is matched to said UIN of the particular client” under “a single account”. Fuchigami teaches

“subaddress adding means for adding a subaddress to a mail address . . . at the transmitting end [it] can transmit electronic mail to the mail server after adding a subaddress to the mail address of the electronic mail . . . at the receiving end . . . [it] receives the electronic mail to which the designated subaddress is added from the mail server . . . A user cannot therefore access any electronic mail addressed to others, and hence privacy can be protected unlike the conventional case in which all the members allocated to the same account can access every electronic mail”. (Fuchigami, col. 2, lines 30-31 and 41-57).

Thus, Fuchigami teaches processing email to a number of different users under an account. Fuchigami provides subaccounts for different users, and does not disclose “a client having a single account” nor that “each client type of **said client** is matched” as does claim 1.

Fuchigami, col. 2, lines 52-64 teaches maintaining private access to each individual subaddress such that a user of one subaddress cannot access electronic mail addressed to other

subaddresses. Col. 9, lines 33-50 also teach storing electronic mail addressed to individual subaddresses in corresponding separate submailboxes. “An access right is set in advance for the submailbox. For example, a login name and a password are set in advance in correspondence with each address and subaddress. Only the user who is discriminated as a user having an access right on the basis of the login name and password input by the user in accessing the mail server 3 can access the electronic mail having the subaddress or the submailbox.” (Fuchigami, col. 9, lines 33-50). Thus, Fuchigami does not teach that the “account is identified by a unique identification number common to all of the client types of that client”. In fact, because Fuchigami discloses maintaining private access between individual subaccounts, Fuchigami teaches away from Applicant’s claimed invention.

As such, Fuchigami fails to teach the deficiencies of Aravamudan. Fuchigami also lacks a suggestion or motivation to modify or be combined with the teachings of Aravamudan to obtain the limitations of claim 1, especially when Fuchigami is concerned with a plurality of members using one email account versus the management of all of a client’s client types under a single account.

Claim 6

Neither are all the similar limitations found in claim 6 taught by Aravamudan in view of Fuchigami. In particular, Aravamudan fails to teach the method limitations of “each client type has a unique identifier to enable access thereto via the computer network . . . and matching each unique identifier of each client type of that client to said unique identification number thereof.” Aravamudan is concerned with ensuring that priority messages are received by the intended recipient regardless of the client device the recipient may be operating at that

point in time. In addition, Aravamudan discloses a method for assigning different priorities to other users in the primary user's buddy group. However, nowhere is there any mention of "matching" a unique identifier of each client type to the unique identification number of the account as discussed above with regard to claim 1. As such, Aravamudan does not anticipate the limitations of claim 6. In addition, as discussed above in regards to claim 1, Aravamudan fails to teach anywhere that "each client type has a unique identifier to enable access thereto via the computer network". Furthermore, as discussed above with regards to claim 1, because Fuchigami only teaches a method for creating private subaccounts under a single email account, Fuchigami fails to teach or suggest "providing a single account on the IM server for each client in respect of all of its client types that can access the IM server", as claimed in claim 6.

Claims 3-4 depend upon and incorporate all limitations of Claim 1. Therefore, Aravamudan in light of Fuchigami fail to teach or suggest ALL claim limitations of claims 1 and 6, as required to establish a prima facie case of obviousness. For the above reasons, Applicant respectfully requests withdrawal of the rejection of Claims 1, 3-4 and 6 under Section 103(a) based on Aravamudan in view of Fuchigami.

Claims 9-13

Claims 9-13 were rejected under Section 103(a) as being obvious and unpatentable over Aravamudan in view of Fuchigami. The Examiner stated that "[a]s per claims 9-13, these claims have similar limitations as claims 1 and 3 combined. Therefore, they are rejected with the same rationale." (Office Action, page 6). As discussed above in regards to claim 1,

Aravamudan and Fuchigami do not include all of the claim limitations required to establish a prima facie case of obviousness. As such, Applicant respectfully submits that dependent claims 9-13 are all allowable for at least the same reasons as claim 1, as discussed above.

Accordingly, Applicant respectfully requests withdrawal of the rejections of Claims 9-13 under Section 103(a).

B. REJECTION OF CLAIMS 2 AND 5 UNDER SECTION 103(a)

Claims 2 and 5 were rejected under Section 103(a) as being obvious and unpatentable over Aravamudan in view of McDowell. In rejecting claims 2 and 5 as being unpatentable over Aravamudan in view of McDowell, the Examiner stated that

“As per claim 2, although Aravamudan et al. shows substantial features of the claimed invention, including wireless devices that receive and send data packets in a wireless network, he does not explicitly show a GSM network. Nonetheless, this feature is well known in the art and would have been obvious modification of the system disclosed by Aravamudan et al. as evidenced by McDowell et al.” (Office Action, page 6).

With regard to claim 5, the Examiner stated on page 7 of the Office Action that McDowell et al., as modified, teach the instant messaging system as explained in claim 1, and further the remaining limitations of claim 5.

Claims 2 and 5 are Dependent on Claim 1

Claims 2 and 5 are dependent upon claim 1. Therefore, if all three criteria to establish a prima facie case of obviousness are not present for claim 1, dependent claims 2 and 5 would be allowable. Applicant requires in claims 2 and 5, by virtue of claim 1 the limitation of “each client type having a unique identifier to enable access thereto via said computer

network". In addition, claims 2 and 5 further require at least "each client having a single account ...identified by a unique identification number common to all of the client types of that client" and the "unique identifier of each client type of said client is matched to said unique identification number of the particular client".

With respect to Aravamudan and McDowell, none of the references teach or suggest all the claim limitations of Applicant's claim 1. Aravamudan fails to teach the limitations as discussed above with respect to "each client type having a unique identifier to enable access thereto via said computer network" or "a single account ...identified by a unique identification number common to all of the client types of that client" and neither does McDowell provide for the deficiencies. In addition, McDowell does not provide for matching the unique identifier of the client type to the unique identification as described in claim 1. Instead, McDowell discloses only an online presence detection system for already registered users with the system. (McDowell, [0030-0031]). Regardless of a teaching of GSM networks in the art or of SMS capability, the fact remains that the references when combined, fail to teach or suggest all the claim limitations of claim 1.

Therefore, Aravamudan in light of McDowell fail to teach or suggest ALL claim limitations as required to establish a prima facie case of obviousness. Applicant respectfully requests withdrawal of the rejections of Claims 2 and 5 under Section 103(a).

Furthermore, dependent claims 2 and 5 include all limitations of their respective base claim 1. The deficiencies of Aravamudan and McDowell have been discussed above in connection with claim 1. Accordingly, Applicant respectfully submits that these dependent claims are all allowable for at least the same reasons as claim 1, as discussed above.

Moreover, Applicant respectfully submits that these dependent claims are further allowable for the limitations that they themselves recite.

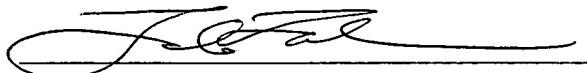
Accordingly, Applicant respectfully requests withdrawal of the rejections of Claims 2 and 5 under Section 103(a).

II. CONCLUSION

The remarks discussed above are believed to place the present Application in condition for allowance. Should the Examiner have any questions regarding the above remarks, the Examiner is requested to telephone Applicant's representative at the number listed below.

Respectfully submitted,

Date: 07/27/2005


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